



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TTY: Contact Through Relay
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 62
Commerce #: 53813-9999-40-A
BRRTS #: 03-22-194007
Site Name: Bailey Oil Bulk Plant
Site Address: 540 N Washington Street, Lancaster, 53813
Site Manager: Linda Hanefeld
Address: 3911 Fish Hatchery Rd
City, State Zip: Fitchburg, WI 53711-5367
Phone: 608-275-3310
e-mail: Linda.Hanefeld@Wisconsin.gov
Bid Manager: Andrew Alles
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-8509
e-mail: Andy.Alles@Wisconsin.gov

| | |
|---|-----------------------------------|
| Bid-Start Date: | August 24, 2009 |
| Questions must be received by (See Section 2 (B)): | September 7, 2009, 4:00 PM |
| Responses will be posted by (See Section 2 (B)): | September 25, 2009 |
| Bid-End Date and Time: | October 9, 2009, 4:00 PM |

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Xer-Lith Printing, 131 W. Wilson St., Madison, WI 53703
Phone: (608) 257-8900 Fax: (608) 257-8900
(Telephone copy shop to switch phone to Fax)

SECTION 2 – Site-Specific Bid Requirements

General Comments

Historically there have been nine above-ground petroleum storage tanks (ASTs) and two underground petroleum storage tanks (USTs) present at this site, having contained diesel fuel, fuel oil and unleaded gasoline. According to the Department of Commerce Tank Database, one above-ground storage tank containing fuel oil remains in use. There were also two loading docks present on this site. Each loading dock was in a different location. Contamination at the site was first documented as a result of soil sampling in the vicinity of the two historic loading docks. Although the location and depths of the initial soil samples are not well documented, it is believed the soil contamination has been delineated and appears most severe in the vicinity of soil borings MW-1, GB-1, B-1. A prior consultant, Ramaker & Associates, Inc. delineated the soil contamination as an area approximately 50 feet wide (east/west) and 200 feet long (north/south) in vicinity of the filler station and six adjacent aboveground storage tanks. In March 2009, additional soil sampling was completed (borings G-1 through G-10) to determine whether there are two separate contamination sources on-site (instead of one large area of soil contamination as theorized by Ramaker). This additional sampling resulted in further limiting the area of contamination. It appears contamination is most highly concentrated in the vicinity of the filler station and north (G-5, MW-1, GB14, GB-15, G-9). There appears to be an isolated concentration of contamination in the former AST area as identified by G-2.

Soils consist primarily of clay with some silt intermingled and range from 3 to 17 feet in thickness across the site. The soil is underlain by dolomite bedrock. No soil remediation of any type has taken place. However, a soil pile formerly stockpiled on-site has been removed.

Groundwater is present approximately 40-45 feet below ground surface (bgs) in bedrock. Flow is generally to the west. There are ten (10) water table observation wells and three (3) piezometers associated with the site investigation thus far. There is quite an extensive groundwater contamination plume associated with the site. Recent groundwater monitoring confirms that the history of free product in MW1 and MW5 remains today. The interim action budget for free product abatement has been depleted. PAHs have been analyzed in groundwater and naphthalene appears to be the PAH of concern at the present time.

No municipal wells are located within 1000 feet of the site. Private wells within 100 feet have not been documented.

Minimum Remedial Requirements

Monitoring well MW-4 is located off-site on a property to the north of this site. During sampling events of 2007 and 2009, this well was unable to be located. An attempt must be made to locate this well. Actions taken to locate the well will be documented in writing. The winner bidder may need to have a conversation with the off-site property owner to determine whether conditions have changed since the time of well installation that would make the well difficult to find (area has been repaved, it was destroyed during snow removal activities, etc.).

Soils: The two areas of soil contamination described in the "General Comments" section, above, will need to be excavated. The excavation in the area of G-2 will be relatively small and intended to remove the direct contact contamination documented as

being present. It is anticipated a small excavation (10' x 10' x 4' deep) should be sufficient to address these concerns.

The other two areas of concern will be excavated to bedrock, which is believed to be present at an average depth of 11 feet bgs. Utilities run through the area of concern and care must be taken during the excavation to avoid these utility lines. The attached map will provide some idea of the conceptual area of excavation. These two areas to be excavated form two adjacent trapezoids. Trapezoid 1 is to the north and Trapezoid 2 is to the south. The depth of the excavation should be 11 feet or to bedrock for the area of both trapezoids. Estimated total volume of soil removed from all three areas to be excavated is approximately 1300 tons. An average depth of twelve feet was used to determine a "not to exceed" volume of 1300 tons. All bid estimates will include proper removal, disposal, filling, and compaction for all three excavation areas.

A sufficient number of confirmation soil samples will be collected from the sidewalls and bases of the excavations. The samples will be analyzed for the presence of PVOCs plus naphthalene. All soil samples will be field screened using a PID or FID prior to submission for analytical testing.

Groundwater: Monitoring well MW-1 will need to be carefully removed and properly abandoned during excavation. Several weeks after compaction of the excavated areas occur; MW-1 will need to be replaced with another monitoring well in the exact same location as the former MW-1. You must contact the DNR prior to installing the replacement monitoring well for MW-1. This replacement monitoring well must be drilled to the same depth as MW-1, which is 55 ft. below ground surface, and containing a 15 ft. well screen installed from 50 ft. to 35 ft. below ground surface according to the Monitoring Well Construction report for MW-1 in Site Investigation Report review by Ramaker & Associates dated January 14, 2002. Once the replacement monitoring well has been installed, the replacement well must be properly developed prior to groundwater analytical sampling. Also survey the elevation and location of the new well. The replacement monitoring well must tie into the existing well network survey elevations.

Once the replacement monitoring well for MW-1 has been installed and surveyed, an additional year of quarterly groundwater monitoring (all wells – PVOCs plus naphthalene) as outlined in the table below will be completed. Groundwater monitoring should not begin until at least 60 days post-excavation. Elevation data will be collected from all wells during all sampling events. Free product will be likely be encountered in MW1 and MW5. **Thickness of free product will be documented (if present) and bailed from any affected well prior to sampling. The dissolved phase of product in these wells must be evaluated.** Updated groundwater elevation/flow map(s) will be compiled.

Conduct one year's-worth of quarterly groundwater monitoring in accordance with the schedule outlined below.

| Monitoring Wells | Frequency | Parameters |
|--|---------------|---------------------|
| MW1*, MW5*, MW6, MW7, MW10, P1, P2, and P3 | Quarterly | PVOCs + naphthalene |
| MW2, MW3, MW4, MW8, MW9 | Quarters 1, 3 | PVOCs + naphthalene |

*- measure and remove free product (if present) prior to collecting groundwater sample – measuring dissolved-phase concentrations is required.

If natural attenuation is the chosen route to closure for addressing residual groundwater contamination, then natural attenuation parameters must also be collected in appropriate wells for appropriate parameters as selected by the consultant.

Any waste generated as a result of this scope of work must be disposed of appropriately. Waste disposal costs must be included in the bid response.

Documentation

Two reports will be completed. The first will include a summary of the excavation results along with the first 2 quarters of groundwater monitoring data. It will also include an explanation of the results of locating MW4. The second will be a more comprehensive report with updated maps, tables, and recommendations for further site activities ("DNR review to determine next steps" or a similarly simplistic recommendation is unacceptable). Both reports shall be completed and submitted to Linda Hanefeld, WI DNR Project Manager and Andrew Alles, WI Department of Commerce Site Reviewer within 90 days of receiving the final laboratory reports.

The Department of Natural Resources (DNR) Project Manager shall be contacted if any well is dry during any monitoring event. The DNR Project Manager must also be contacted immediately if free product is found in any monitoring well associated with the site. The DNR Project Manager must be alerted to any other unusual occurrence(s) at the site as soon as practical after they are discovered.

Bidders shall provide costs for the items in the table on the 2nd Page of the Bid Response. If a completed 2nd Page is not included with the Bid Response, the Bid Response will be determined to be non-responsive. The winning bidder will not be allowed to move costs between the scopes of work items without prior Commerce approval.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.

7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this

bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.

9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE – BID ROUND 62

(1st Page)

Department of Commerce PECFA Program

Site Name: Bailey Oil Bulk Plant

Commerce #: 53813-9999-40-A

BRRTS #: 02-22-194007

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

| | | |
|--------------------------|------------------------|-----------------|
| <input type="checkbox"/> | Professional Engineer | License # _____ |
| <input type="checkbox"/> | Professional Geologist | License # _____ |
| <input type="checkbox"/> | Hydrologist | License # _____ |
| <input type="checkbox"/> | Soil Scientist | License # _____ |



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE – BID ROUND 62

(2nd Page)

Department of Commerce PECFA Program

Site Name: Bailey Oil Bulk Plant

Commerce #: 53813-9999-40-A

BRRTS #: 02-22-194007

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

| | | | |
|----|--|----|--|
| 1 | Remedial Excavation of area around G-2 (includes removal, disposal, fill, and compaction). | \$ | |
| 2 | Remedial Excavation of area within Trapezoid 1 north of utility corridor (includes removal, disposal, fill, and compaction). | \$ | |
| 3 | Remedial Excavation of area within Trapezoid 2 south of utility corridor (includes removal, disposal, fill, and compaction). | \$ | |
| 4 | Soil sampling with laboratory analysis for PVOC's and Napthalene (includes collection and analysis). | \$ | |
| 5 | Removal and proper abandonment of MW-1 during excavation. | \$ | |
| 6 | Installation and development of replacement monitoring well for MW-1. | \$ | |
| 7 | Survey elevation and location of replacement monitoring well. Tie into existing well network survey elevations. | \$ | |
| 8 | Groundwater Monitoring for MW1, MW5, MW6, MW7, MW10, P1, P2, and P3 (includes analytical cost and groundwater elevations) for all four quarterly rounds. | \$ | |
| 9 | Groundwater Monitoring for MW2, MW3, MW4, MW8, and MW9 (includes analytical cost and groundwater elevations) for both quarterly rounds. | \$ | |
| 10 | Report preparation and submittal per Comm 47.70 (Web Reports) per paragraph 4 of the bid document. | \$ | |

| | | | |
|----|--|-----------|--|
| 11 | Waste Disposal for all waste generated on site | \$ | |
| 12 | Report Preparation and Submittal | \$ | |
| 13 | PECFA Claim Preparation | \$ | |
| 14 | Total Bid Amount | \$ | |